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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ARDELL JENKINS,

10 Plaintiff,

11 Case No. C14-1827-JCC-JPD

12 v.

13 FEDERAL DETENTION CENTER SEA-
TAC,

14 REPORT AND RECOMMENDATION

15 Defendant.

16 On November 24, 2014, plaintiff Ardell Jenkins submitted to this Court for filing a
17 proposed civil rights complaint. (See Dkt. 1.) However, plaintiff failed to submit with his
18 complaint either the \$400 filing fee or an application for leave to proceed with this action *in*
19 *forma pauperis*. Accordingly, the Clerk sent plaintiff a letter advising him that he would have to
20 submit either the entire filing fee, or an application for *in forma pauperis* status, on or before
21 January 2, 2015, and that his failure to do so could result in dismissal of this case. (Dkt. 2.) The
22 Clerk also sent plaintiff the appropriate *in forma pauperis* application form. (See *id.*) To date,
23 plaintiff has submitted neither the filing fee nor an application for leave to proceed *in forma*
pauperis.

1 As plaintiff has had ample time to comply with the filing fee requirement, but has failed
2 to do so, this Court recommends that the instant action be dismissed without prejudice for failure
3 to prosecute. A proposed order accompanies this Report and Recommendation.

4 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
5 served upon all parties to this suit by no later than **April 13, 2015**. Failure to file objections
6 within the specified time may affect your right to appeal. Objections should be noted for
7 consideration on the District Judge's motion calendar for the third Friday after they are filed.
8 Responses to objections may be filed within **fourteen (14)** days after service of objections. If no
9 timely objections are filed, the matter will be ready for consideration by the District Judge on
10 **April 17, 2015**.

11 This Report and Recommendation is not an appealable order. Thus, a notice of appeal
12 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
13 assigned District Judge acts on this Report and Recommendation.

14 DATED this 23rd day of March, 2015.

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16 JAMES P. DONOHUE
17 United States Magistrate Judge
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